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HONOURABLE SRI JUSTICE B.PRAKASH RAO

AND

HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO:24371 of 2006

DATED: 11-12-2006

Between:

Md.Mahasibuddin

..... PETITIONER

AND

1. The Commissioner, Survey & Land Records, A.P., Narayanaguda, Hyderabad
and 5 others.

.....RESPONDENTS

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ORDER: (per The Hon'ble Sri Justice Ramesh Ranganathan)

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Heard both sides, and at their request, the main writ petition itself is taken up for disposal, at the stage of admission.

Both Sri K.Vasudeva Reddy, learned counsel for the petitioner, and the learned Government Pleader for Services would agree that the competent authority to pass the orders of transfer is the Regional Director, Telangana Region, Survey & Land Records, Narayanaguda, Hyderabad, the fourth respondent herein, and not the third respondent-Joint Collector.

Since the impugned order of transfer has been passed by the third respondent, an incompetent authority, under the A.P. Survey & Land Records

Subordinate Service Rules, the impugned orders of transfer is set aside leaving it open to the fourth respondent, if he so chooses, to pass orders in accordance with law.

The writ petition is allowed. The order of the Tribunal in O.A.No.6228 of 2006 dated 16-10-2006 and the order of the third respondent dated 12-09-2006 are set aside. No costs.

B.PRAKASH RAO, J

11th December, 2006 RAMESH RANGANATHAN, J

SKM